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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,053	03/09/2000	Scott A Rosenberg	INTL-0320-US-(P8003)	4245

21906 7590 02/27/2007
TROP PRUNER & HU, PC
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HOUSTON, TX 77057-2631

EXAMINER

VU, NGOC K

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/522,053

Applicant(s)

ROSENBERG ET AL.

Examiner

Ngoc K. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 12/12/2006 have been considered but they are not persuasive.

Applicant merely argues that Washino's system does not need to convert frame rates to a common frame rate because there are no different frame rates in Washino's system. This argument is not persuasive.

With respect to claim 1, Washino discloses that video streams from cameras are individually and independently digitized at a first set of image sizes, sampling rates and **frame rates**, and stored in digital form on various recording media at a second set of image sizes, sampling rates, and **frame rates**. Particularly, the video streams are independently packetized, digitized or processed for transmission to monitor via devices 54, 56 and bus 60. See figure 8, abstract, col. 9, lines 40-42. Washino does not explicitly disclose providing the packetized video streams in different frame rates for transmission to the monitor without converting frame rates of the video streams to a common frame rate. However, Washino discloses in an alternative embodiment that the individual cameras are equipped with separate image data compression facilities. It is important to note that the video streams or image representations **need not be identical to the sizes and rates used for video monitors displaying the various images** in the Washino's system. Moreover, Washino further discloses that the video streams may be stored **at various frame rates** depending on the requirements for the intended use of the stored images. See col. 7, lines 43-46; col. 3, lines 34-44. That is, in the alternative embodiment, the video streams at the individual cameras are individually and independently packetized in different frame rates for transmission without converting frame rates of the video streams to a common frame rate. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Washino's system by including the packetized video streams

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from different cameras in different frame rates for transmission to monitor without converting frame rates of the video streams to a common frame rate as suggested by Washino in the alternative embodiment in order to effectively provide accommodation to various of display devices for displaying various image representations from various camera sources.

Thus, there must be different frame rates of the video streams or image representations in the teaching of Washino.

In response to applicant's argument that there is no suggestion to combine the features from different embodiments in the Washino reference, the examiner recognizes that obviousness can only be established by combining or modifying the teaching of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the reference itself or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Washino et al. (US 5,625,410 A).

Regarding claim 11, Washino teaches a system (figures 8 & 11) comprising:

a processor (within PC – figure 11);

a storage (within PC – figure 11) coupled to said processor;

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a video controller (within 54 – figure 8) coupled to said processor (within PC); and
a packetization device (54 & 56 – figure 8) coupled to said video controller to independently packetize at least moving picture video streams for transmission thereof to a display device (video monitor – figures 1-6 & 11) (as shown in figures 8 and 11, a plurality of video streams from a plurality of cameras are individually packetized, digitized or processed by for transmission to monitor via devices 54, 56, and bus 60 – see col. 7, lines 27-35 and figures 8 & 11, and abstract).

Washino does not explicitly disclose providing the packetized video streams in different frame rates for transmission to the monitor without converting frame rates of the video streams to a common frame rate. However, Washino further discloses that the video streams may be stored in storage at various frame rates and resolutions. In an alternative embodiment, the individual cameras in Washino's system are equipped with separate image-data compression facilities. It is noted that the video streams or image representations need not be identical to the sizes and rates used for video monitors displaying the various images. (See col. 3, lines 34-39; col. 9, lines 40-42; col. 3, lines 39-44). Accordingly, the video streams at the individual cameras are individually and independently packetized in different frame rates for transmission without converting frame rates of the video streams to a common frame rate in view of the alternative embodiment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Washino's system by including the packetized video streams from different cameras in different frame rates for transmission to monitor without converting frame rates of the video streams to a common frame rate as suggested by Washino in the alternative embodiment in order to effectively provide accommodation to various of display devices for displaying various image representations from various camera sources.

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Regarding claim 12, Washino teaches the system including a modulation device (within 56 and/or cameras) to modulate and transport independently packetized streams (see col. 7, lines 29-35; figures 8 and 11; col. 3, lines 39-44).

Regarding claims 13, Washino teaches each of the video streams has a different frame rate and is packetized to be de-packetized at the different frame rate in the display device (since each of the packetized video streams has different frame rate, therefore, the each of the packetized video streams are depacketized at the different frame rate in the display device. As indicated above, the video streams or image representations in Washino's system need not be identical to the sizes and rates used for video monitors displaying the various images. See col. 3, lines 34-46; col. 9, lines 40-42).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NGOC K. VU
PRIMARY EXAMINER
Art Unit 2623

February 22, 2007